

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - ★ **Petitions if any.**
 - ★ **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
and may be viewed there.**

**Montana Historical Society
Archives**

225 N. Roberts

Helena MT 59620-1201

2013 Legislative Scanner Susie Hamilton

BUSINESS REPORT
MONTANA SENATE
63rd LEGISLATURE - REGULAR SESSION
SENATE JUDICIARY COMMITTEE

Date: Wednesday, March 20, 2013
Place: Capitol

Time: 9:00 AM
Room: 303

BILLS and RESOLUTIONS HEARD:

HB 287 - Enhance penalty for consumer protection violations - Rep. Daniel Salomon
HB 555 - Revise mediation laws related to family law and domestic violence - Rep. Ellie Boldman Hill

EXECUTIVE ACTION TAKEN:

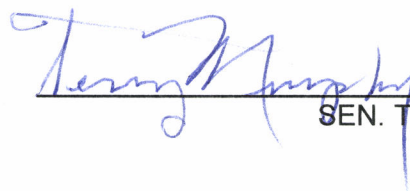
HB 335-BE CONCURRED IN
HB 385-BE CONCURRED IN
HB 485-BE CONCURRED IN
HB 374-BE CONCURRED IN

HB 459-BE CONCURRED IN AS AMENDED
HB 352-BE CONCURRED IN AS AMENDED

SB 367-TABLED
HB 369-TABLED

HB 438-BE CONCURRED IN/MOTION WITHDRAWN

Comments:



SEN. Terry Murphy, Chair

MONTANA STATE SENATE

2013 JUDICIARY COMMITTEE

ROLL CALL

DATE: 3/20/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, SENATOR TERRY MURPHY	/	
VICE CHAIRMAN, SENATOR SCOTT SALES	/	
SENATOR SHANNON AUGARE	/	
SENATOR ANDERS BLEWETT	/	
SENATOR SCOTT BOULANGER	/	
SENATOR JOHN BRENDEN		/
SENATOR ROBYN DRISCOLL	/	
SENATOR JENNIFER FIELDER	/	
SENATOR LARRY JENT	/	
SENATOR CLIFF LARSEN		/
SENATOR CHAS VINCENT	/	
SENATOR ART WITTICH	/	



SENATE STANDING COMMITTEE REPORT

March 20, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 335** (third reading copy -- blue) be concurred in.

Signed:

Terry Murphy
Senator Terry Murphy, Chair

To be carried by Senator Larry Jent

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

HB0335001SC13542.swr



SENATE STANDING COMMITTEE REPORT

March 20, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 385** (third reading copy -- blue)
be concurred in.

Signed: *Terry Murphy*
Senator Terry Murphy, Chair

To be carried by Senator Art Wittich

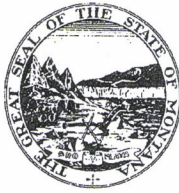
- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required ☐

HB0385001SC12550.swr




SENATE STANDING COMMITTEE REPORT

March 20, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 485** (third reading copy -- blue) be concurred in.

Signed: 
Senator Terry Murphy, Chair

To be carried by Senator Anders Blewett

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

HB0485001SC13620.swr



SENATE STANDING COMMITTEE REPORT

March 20, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 459** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Senator Terry Murphy, Chair

To be carried by Senator Scott Sales

And, that such amendments read:

1. Page 1, line 14 through line 15.

Strike: subsection (b) in its entirety

Insert: "(b) inquire about a person's ownership, possession, or use of firearms as a condition of receiving health care."

2. Page 1, line 16.

Strike: ", "

Insert: ": (a) "

3. Page 1, line 17.

Strike: "."

Insert: "; and (b) the term "possession" does not apply to the presence of a firearm on the person of a patient at the time of treatment."

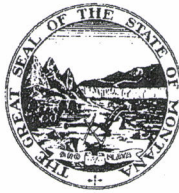
- END -

Committee Vote:

Yes 10, No 2

Fiscal Note Required ☐

HB0459001SC12926.swr



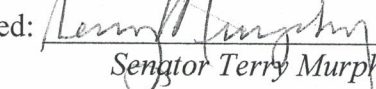
SENATE STANDING COMMITTEE REPORT

March 20, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 352** (third reading copy -- blue) be concurred in as amended.

Signed: 
Senator Terry Murphy, Chair

To be carried by Senator Anders Blewett

And, that such amendments read:

1. Page 1, line 24.

Following: line 24

Insert: "Each person listed must be a current or former judge, a current or former attorney, current court personnel, or a former law enforcement officer. "

2. Page 1, line 25.

Following: "must"

Insert: "also"

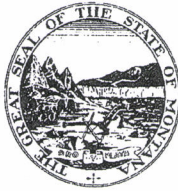
- END -

Committee Vote:

Yes 10, No 2

Fiscal Note Required ☐

HB0352001SC13620.swr



SENATE STANDING COMMITTEE REPORT

March 20, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 374** (third reading copy -- blue) be concurred in.

Signed: 
Senator Terry Murphy, Chair

To be carried by Senator Art Wittich

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required ☐

HB0374001SC12550.swr

BILL TABLED NOTICE

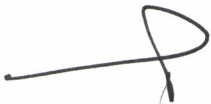
SENATE JUDICIARY COMMITTEE

The **SENATE JUDICIARY COMMITTEE** TABLED

HB 369 - Revise laws for courts of limited jurisdiction - Rep. Steve Fitzpatrick

SB 367 - Revise laws for DUI violations - Sen. Sue Malek

by motion, on **Wednesday, March 20, 2013** (PLEASE USE THIS ACTION DATE IN LAWS
BILL STATUS).



(For the Committee)



(For the Secretary of the Senate)

12:30 / 3/20
(Time) (Date)

March 20, 2013 (12:33pm)

Pam Schindler, Secretary

Phone: 406-444-4891

MONTANA STATE SENATE
ROLL CALL VOTE
2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO. HB335 MOTION NO. 1

MOTION:

Reconciled In

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		—
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		
SENATOR CLIFF LARSEN	—		—
CHAIRMAN, SENATOR TERRY MURPHY	—		

12/0

(Jent)

MONTANA STATE SENATE
ROLL CALL VOTE
2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO HB 367 MOTION NO. 1

MOTION:

tabled

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>/</u>		
SENATOR JOHN BRENDEN	<u>/</u>		<u>/</u>
SENATOR JENNIFER FIELDER	<u>/</u>		
SENATOR CHAS VINCENT	<u>/</u>		
SENATOR SCOTT BOULANGER	<u>/</u>		
SENATOR ART WITTICH	<u>/</u>		
SENATOR SHANNON AUGARE		<u>/</u>	
SENATOR ANDERS BLEWETT	<u>/</u>		
SENATOR ROBYN DRISCOLL		<u>/</u>	
SENATOR LARRY JENT	<u>/</u>		
SENATOR CLIFF LARSEN		<u>/</u>	<u>/</u>
CHAIRMAN, SENATOR TERRY MURPHY	<u>/</u>		

9/3

MONTANA STATE SENATE
ROLL CALL VOTE
2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO. HB 385 MOTION NO. 1

MOTION:

Belonged to

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		—
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT		—	
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		
SENATOR CLIFF LARSEN	—		—
CHAIRMAN, SENATOR TERRY MURPHY	—		

11/1 (Wittich)

MONTANA STATE SENATE

ROLL CALL VOTE

2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO. HB 485 MOTION NO. 1

MOTION:

Reconciled In

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		
SENATOR SHANNON AUGARE	<u>—</u>		
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		
SENATOR CLIFF LARSEN	<u>—</u>		<u>—</u>
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

12/0 (Blewett)

MONTANA STATE SENATE
ROLL CALL VOTE
2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO HJB 459 MOTION NO. 2

MOTION:

amendment

459.23 (Wittich)

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		
SENATOR SHANNON AUGARE	<u>—</u>		
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		
SENATOR CLIFF LARSEN	<u>—</u>		<u>—</u>
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

11/1

MONTANA STATE SENATE

ROLL CALL VOTE

2013 JUDICIARY COMMITTEE

DATE 9/20/13 BILL NO HB 459 MOTION NO. 3

MOTION:

Amendment

459.02 (with ch)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>✓</u>		<u>✓</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		
SENATOR SHANNON AUGARE	<u>—</u>		
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		
SENATOR CLIFF LARSEN	<u>—</u>		<u>✓</u>
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

12/0

MONTANA STATE SENATE
ROLL CALL VOTE
2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO HB 459 MOTION NO. 4

MOTION:

Be Concurred In As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		
SENATOR SHANNON AUGARE		<u>—</u>	
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT		<u>—</u>	
SENATOR CLIFF LARSEN	<u>—</u>		<u>—</u>
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

10/2 (Sales)

MONTANA STATE SENATE

ROLL CALL VOTE

2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO H.B. 352 MOTION NO. 2

MOTION:

amendment

352.01 (Blewett)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		<u>—</u>	
SENATOR JOHN BRENDEN		<u>—</u>	<u>—</u>
SENATOR JENNIFER FIELDER		<u>—</u>	
SENATOR CHAS VINCENT		<u>—</u>	
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		
SENATOR SHANNON AUGARE	<u>—</u>		
SENATOR ANDERS BLEWETT	<u>—</u>		
SENATOR ROBYN DRISCOLL	<u>—</u>		
SENATOR LARRY JENT	<u>—</u>		
SENATOR CLIFF LARSEN	<u>—</u>		<u>—</u>
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

8/4

MONTANA STATE SENATE

ROLL CALL VOTE

2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO. ~~733~~ HB 352 MOTION NO. 2

MOTION:

Be Concerned In As Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		<input checked="" type="checkbox"/>	
SENATOR JOHN BRENDEN	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
SENATOR JENNIFER FIELDER	<input checked="" type="checkbox"/>		
SENATOR CHAS VINCENT		<input checked="" type="checkbox"/>	
SENATOR SCOTT BOULANGER	<input checked="" type="checkbox"/>		
SENATOR ART WITTICH	<input checked="" type="checkbox"/>		
SENATOR SHANNON AUGARE	<input checked="" type="checkbox"/>		
SENATOR ANDERS BLEWETT	<input checked="" type="checkbox"/>		
SENATOR ROBYN DRISCOLL	<input checked="" type="checkbox"/>		
SENATOR LARRY JENT	<input checked="" type="checkbox"/>		
SENATOR CLIFF LARSEN	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
CHAIRMAN, SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>		

10/2 (Blewett)

MONTANA STATE SENATE
ROLL CALL VOTE
2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO. HB369 MOTION NO. 2

MOTION:

Sub - Motion / Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		—
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		
SENATOR CLIFF LARSEN	—		—
CHAIRMAN, SENATOR TERRY MURPHY	—		

12/0

MONTANA STATE SENATE
ROLL CALL VOTE
2013 JUDICIARY COMMITTEE

DATE 3/20/13 BILL NO. HB374 MOTION NO. 1

MOTION:


Be Concurred In

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	<u>—</u>		
SENATOR JOHN BRENDEN	<u>—</u>		<u>—</u>
SENATOR JENNIFER FIELDER	<u>—</u>		
SENATOR CHAS VINCENT	<u>—</u>		
SENATOR SCOTT BOULANGER	<u>—</u>		
SENATOR ART WITTICH	<u>—</u>		
SENATOR SHANNON AUGARE		<u>—</u>	
SENATOR ANDERS BLEWETT		<u>—</u>	
SENATOR ROBYN DRISCOLL		<u>—</u>	
SENATOR LARRY JENT		<u>—</u>	
SENATOR CLIFF LARSEN		<u>—</u>	<u>—</u>
CHAIRMAN, SENATOR TERRY MURPHY	<u>—</u>		

7/5 (Wittich)

SENATE PROXY

I, Senator Drenth, hereby authorize Senator
SALES to vote my proxy before the
Senate JUDICIARY meeting held on
 , 2013.



Senator Signature (Sen. John Brenden)

3/20/15 Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE PROXY

I, Senator CLIFF LARSEN, hereby authorize Senator

Kobyn JENT Davis to vote my proxy before the

Senate JUDICIARY meeting held on

_____, 2013.

Senator Signature (Sen. Cliff Larsen)

3/20/13
Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Wednesday, March 20, 2013

HB 287 - Enhance penalty for consumer protection violations

Sponsor: Rep. Daniel Salomon

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Jon Bennion	Attorney General	✓		
Donya Parrish	MT Credit Unions	✓		
Candice Clifford	AARP MT	✓		
Graden Hahn	Attorney General - OCP	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

SENATE JUDICIARY COMMITTEE

Sponsor: Rep. Ellie Boldman Hill

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.